Remarks

Claims 1 – 30 were acted on by the Examiner. Claims 1 – 30 are presently rejected. By this response, claims 1 – 30 have been cancelled, and claims 35 – 61 have been added. (Claims 31 – 34 were previously cancelled.) Examination and reconsideration of the claims in view of the following remarks are respectfully requested.

35 U.S.C. §102 Rejection

Claims 1, 2, 4 – 12, 14 – 16, 18 – 26, 28, and 30 stand rejected under 35 U.S.C. § 102 (b) as being anticipated by U.S. Patent No. 5,871,398 ("Schneier").

Claims 1, 2, 4 – 12, 14 – 16, 18 – 26, 28, and 30 have been cancelled.

The rejection is thus deemed moot.

Applicants respectfully submit that the newly added claims 35 – 61 are not anticipated by Schneier.

Claims 35 – 61 have been added. The newly added claims generally recite seeds that can be automatically requested by a gaming console at any time irrespective of monies wagered or tickets purchased by a player. That is, the seeds are not directly tied to a player purchase. The automatic seed request thus allows continuous game play on a gaming console while ensuring efficient use of network bandwidth.

Claims 35 – 61 merely narrow and clearly present the previously claimed subject matter, such as, for example, how a number of previously claimed random seeds are stored in a seed buffer, and how the number of generated random seeds available for processing by a previously claimed secure storage and processing device are periodically evaluated and replenished, as previously claimed, to ensure continuous game play on a previously claimed gaming console.

Applicants respectfully submit that newly added claims 35 – 61 are patentable in view of Schneier.

Rather, Schneier teaches an off-line lottery system enables players to purchase instant-type lottery game outcomes for a central computer and view the outcomes remotely. Schneier enables a player to play instant-type tickets as he or she would traditional paper scratch-off

tickets. See col. 1, lines 18 – 25. The ticket contains indicia indicating a win/lose result or prize status. See col. 1, lines 34 – 37. A handheld ticket viewer (HTV 20) allows a player to view the ticket results.

Schneier discloses that seeds are effectively purchased by the player for some particular value and only after all purchased seeds have been used are new seeds purchased and downloaded on request by the player. See, for example, col. 6, lines 13 – 53, and col. 19, line 1 – col. 20, line 9. For example, Schneier discloses that "the player is essentially purchasing outcomes/game authorizations from the CMC 12." See col. 6, lines 13 – 15. For another example, Schneier discloses that "the player may opt to purchase more outcomes/game authorizations with the present cash balance," after a redemption request has been validated. See col. 19, lines 16 – 21. That is, the outcomes generated and the seeds used to generate the outcome are directly tied to a player's purchase, and not automatically requested by the HTV at any time regardless whether a wager is placed.

Therefore, Schneier does not teach or suggest "in response to determining that the number is less than the predefined number, the game console automatically requesting a plurality of additional seeds from the game server for subsequent storing in the seed buffer to determine future game outcomes," as recited in claim 35 and "automatically request, via the gaming console, a plurality of additional seeds from the game server for subsequent storing in the seed buffer, in response to the game console determining that a number of unprocessed seeds stored in the seed buffer is less than a predetermined number," as recited in claim 47.

Schneier also does not disclose any secure storage and processing device being utilized for generating random numbers and determining any game outcomes. The Examiner appears to construe the claimed secure storage and processing device to include the smart card 28 of Schneier, and that the claimed gaming console to include the HTV 20 of Schneier. See page 2, Action.

Rather, Schneier discloses that the HTV 20 is responsible for generating the outcomes. For example, Schneier discloses that "the outcome purchase routine 126 directs the HTV 20 to generate corresponding outcomes…" See col. 15, lines 22 – 24. For another example, Schneier discloses that "game outcomes are generated in the HTV based upon a random see value from

the central management computer." See col. 24, lines 29 – 31. That is, Schneier's smart card 28 does not generate the outcomes. Instead, Schneier's HTV 20 generates the outcomes.

Therefore, Schneier does not teach or suggest "the secure storage and processing device processing a random seed stored by a seed buffer to generate a set of random numbers," and "the secure storage and processing device determining an outcome for the initiated game based, at least in part, on the set of random numbers and communicating the determined outcome to the gaming console, via the secure storage and processing device read/write interface," as recited in claim 35, and "the secure storage and processing device arranged to carry out the following steps in order to facilitate game play on the gaming console: process a random seed stored by the seed buffer to generate a set of random numbers, in response to a user initiating play of a game on the gaming console; determine an outcome for the game based, at least in part, on the set of random numbers and communicating the determined outcome to the gaming console, via the secure storage and processing device read/write interface," as recited in claim 47.

Thus, Applicants submit that new claims 35 and 47 are not anticipated by Schneier, and therefore are allowable.

Claims 36 – 46 and 48 – 61 are dependent from respective claims 35 and 47, and therefore are not anticipated by Schneier for the same reasons set forth above. It is respectfully submitted that claims 36 – 46 and 48 – 61 are allowable.

35 U.S.C. §103 Rejection

Claims 3, 13, 17, 27, and 29 stand rejected under 35 U.S.C. § 103 (a) as being unpatentable by Schneier in view of U.S. Patent No. 5,276,312 ("McCarthy").

Claims 3, 13, 17, 27, and 29 have been cancelled.

The rejection is thus deemed moot.

Applicants respectfully submit that newly added claims 35 – 61 are not obvious in view of Schneier and McCarthy.

McCarthy fails to cure the deficiencies of Schneier.

As the Examiner states, Schneier fails to disclose a secure storage and processing device that is a smartcard or smartcard chip. See page 5, Action. While McCarthy discloses a smartcard, McCarthy simply stores verified wager lotteries, instant game outcomes, and immediate payout number matching games using the smartcard as the transfer media. See Abstract. As with Schneier, the processing capability of the secure storage and processing device and the automatic seed replenishing request from the gaming console to the server are absent in the smartcard system of McCarthy. In McCarthy, the lottery tickets are stored on the card, and the winning outcome is determined later by a central processor. See col. 1, lines 7 – 28. A player is guessing which number(s) will be chosen, rather than having outcomes downloaded and playing out the game with the secure storage and processing device and the gaming console as recited in the presently pending claims. See col. 2, lines 6 – 24, and col. 8, lines 35 – 40.

Therefore, McCarthy does not teach or suggest "in response to determining that the number is less than the predefined number, the game console automatically requesting a plurality of additional seeds from the game server for subsequent storing in the seed buffer to determine future game outcomes," "the secure storage and processing device processing a random seed stored by a seed buffer to generate a set of random numbers," and "the secure storage and processing device determining an outcome for the initiated game based, at least in part, on the set of random numbers and communicating the determined outcome to the gaming console, via the secure storage and processing device read/write interface," as recited in claim 35, and "automatically request, via the gaming console, a plurality of additional seeds from the game server for subsequent storing in the seed buffer, in response to the game console determining that a number of unprocessed seeds stored in the seed buffer is less than a predetermined number," "the secure storage and processing device arranged to carry out the following steps in order to facilitate game play on the gaming console: process a random seed stored by the seed buffer to generate a set of random numbers, in response to a user initiating play of a game on the gaming console; determine an outcome for the game based, at least in part, on the set of random numbers and communicating the determined outcome to the gaming console, via the secure storage and processing device read/write interface," as recited in claim 47.

Therefore, claims 35 and 47 are not obvious in view of Schneier and McCarthy, and therefore are allowable.

Claims 36 – 46 and claims 48 – 61 are dependent from claims 35 and 47, respectively, and therefore are also allowable for at least the same reasons set forth above.

No new matter has been added. In addition, Applicants respectfully submit that claims 35 – 61 can be supported by the Specification.

For example, FIG. 4 illustrates requesting game outcome at step 127.

For example, FIG. 7 illustrates determining if a buffer is low at step 140 or empty at step 150. FIG. 7 also illustrates requesting additional random seeds to fill the buffer.

For example, paragraph [0034] describes a secure storage and processing means that stores outcomes.

For example, paragraph [0041] describes a secure storage and processing means that is removable.

For example, paragraph [0083] describes a message being sent to the server when a user initiates game play.

For example, paragraph [0084] describes a server providing outcomes of games.

For example, paragraph [0251] describes a server that generates random numbers, and transmits the random numbers to a secure storage and processing means prior to a game requiring them. Paragraph [0251] also describes a random seed is used to generate random numbers.

Conclusion

Applicant respectfully submits that all of claims 35 – 61 are allowable. In the event that the Examiner believes a telephone interview with the undersigned Applicant's Representative would be helpful in advancing prosecution of this patent application, the undersigned is available for telephone consultation.

Respectfully submitted,

Dated: October 28, 2009

/Larry M. Jarvis/
Larry M. Jarvis
Reg. No. 27,341

McAndrews, Held & Malloy, Ltd.
500 W. Madison Street
34th Floor
Chicago, Il 60661
Phone (312) 775-8000
Fax (312) 775-8100